

Introduced by Senator Vargas

February 14, 2011

An act to amend Section 932 of the Insurance Code, relating to insurance.

LEGISLATIVE COUNSEL'S DIGEST

SB 277, as introduced, Vargas. Insurance: regulation of insurers.

Existing law requires each domestic, foreign, and alien insurer doing business in this state to annually, on or before the first day of March of each year, file with the National Association of Insurance Commissioners (NAIC) a copy of its annual statement convention blank, along with any additional filings as prescribed by the Insurance Commissioner for the preceding year. Existing law provides that, in the absence of actual malice, specified members of the NAIC, its employees, and all others charged with the responsibility of collecting, reviewing, analyzing, and disseminating the information developed from the filing of the annual statement convention blanks are acting as agents of the commissioner under the authority of this article and are not subject to civil liability for libel, slander, or any other cause of action by virtue of their collection, review, and analysis or dissemination of the data and information collected from the required filings required.

This bill would add NAIC working groups and subgroups to the above group of persons with immunity from civil liability.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 932 of the Insurance Code is amended
2 to read:
3 932. In the absence of actual malice, members of the National
4 Association of Insurance Commissioners, their duly authorized
5 committees, subcommittees, and task forces, their delegates,
6 National Association of Insurance Commissioners' employees,
7 *working groups, subgroups*, and all others charged with the
8 responsibility of collecting, reviewing, analyzing, and
9 disseminating the information developed from the filing of the
10 annual statement convention blanks shall be acting as agents of
11 the commissioner under the authority of this article and shall not
12 be subject to civil liability for libel, slander, or any other cause of
13 action by virtue of their collection, review, and analysis or
14 dissemination of the data and information collected from the filings
15 required herein.

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